



U.S. Department of Justice

*United States Attorney  
Northern District of Ohio*

United States Court House  
801 West Superior Avenue, Suite 400  
Cleveland, Ohio 44113-1852

February 23, 2024

**VIA EMAIL**

Victoria Dowdy  
Acting LEADS Administrator  
1970 West Broad Street  
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Columbus, OH 43218  
[vdowdy@dps.ohio.gov](mailto:vdowdy@dps.ohio.gov)

Mark Griffin  
Law Director  
City of Cleveland  
601 Lakeside Avenue, Room 106  
Cleveland, Ohio 44114-1077  
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RE: *United States v. City of Cleveland*, 1:15-CV-1046  
Monitoring Team and Department of Justice Access to Cleveland Division of  
Police Records and Systems

Dear Ms. Dowdy and Mr. Griffin:

The United States Department of Justice, Civil Rights Division, and the United States' Attorney's Office for the Northern District of Ohio (collectively, "DOJ") write to respond to your request for clarification on whether the Monitoring Team appointed by the U.S. District Court for the Northern District of Ohio ("Monitoring Team") and DOJ may access information contained within Cleveland Division of Police (CDP) documents and data consistent with federal DOJ regulations. In formulating our response, we conferred with the Federal Bureau of Investigation's General Counsel Criminal Justice Information Law Unit (OGC CJILU) and the Criminal Justice Information Services Division Information Security Officer Program Office (CJIS ISO). Based on those discussions, permitting the Monitoring Team and DOJ access to CDP documents and databases does not implicate DOJ regulations concerning Criminal Justice Information Systems (CJIS).

The Monitoring Team and DOJ seek access to CDP documents and data pursuant to a Settlement Agreement entered into by the City and DOJ, and approved and entered as an order of the U.S. District Court for the Northern District of Ohio, to conduct assessments of whether,

GOVERNMENT  
EXHIBIT

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among other things, CDP's stops, searches, arrests, and use of force comply with the Constitution and laws of the United States. From our review of the information you have provided, along with discussion with the OGC CJILU and CJIS ISO, the Monitoring Team and DOJ do not seek access to any CJIS systems. Nor does the Monitoring Team and DOJ seek to obtain any criminal history record information or other Criminal Justice Information (CJI) obtained from CJIS. Instead, to conduct their assessments, they only seek access to CDP documents and data that reside in CDP systems.

Even if CJI is incidentally included in CDP documents, data, and information systems, including IAPro, Blue Team, Law Enforcement Records Management System, Brazos Software, Field Base Reporting, and Evidence.com, the Settlement Agreement, which is a court order, requires the City and CDP to provide the Monitoring Team and DOJ access to these systems. Under the terms of the Settlement Agreement, the Monitoring Team and DOJ are required to keep this information confidential. The City has provided the Monitoring Team and DOJ access to these systems since the Agreement was entered on June 12, 2015. This is a permitted dissemination of CJI. If CDP believes that any CJI is incidentally included in any CDP documents, data, or information systems provided to the Monitoring Team and DOJ, CDP should log the dissemination of that CJI. Logging would ensure compliance with the CJIS Security Policy concerning dissemination and would resolve any dissemination logging issues from a CJIS IT security audit perspective.

If you have any further questions, please do not hesitate to contact us.

Sincerely,

/s/ \_\_\_\_\_  
Timothy Mygatt  
Deputy Chief, Special Litigation Section  
Civil Rights Division

/s/ \_\_\_\_\_  
Patricia M. Fitzgerald  
Chief, Civil Division  
U.S. Attorney's Office  
Northern District of Ohio

CC: Karl Racine, Court Monitor, *United States v. City of Cleveland*  
Federal Bureau of Investigation, Office of the General Counsel, Criminal Justice  
Information Law Unit  
Federal Bureau of Investigation, Criminal Justice Information Services Division,  
Information Security Officer Program Office